

Article - Estates and Trusts

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§4–407.

Subject to the terms of the instrument creating the power, a residuary clause in a will exercises a power of appointment held by the testator only if:

(1) An intent to exercise the power is expressly indicated in the will;
or

(2) The instrument creating the power of appointment fails to provide for disposition of the subject matter of the power upon its nonexercise.

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